

ELK MANAGEMENT IN AREAS WITH BRUCELLOSIS

2015 PROPOSED WORK PLAN

August 7, 2014 Fish and Wildlife (FW) Commission Meeting

INTRODUCTION

This proposed 2015 annual work plan (“plan”) listing management actions available for potential implementation has been assembled by FWP with input from the Elk Management Guidelines in Areas with Brucellosis Work Group. The plan builds upon the 2013 and 2014 annual work plans, a growing body of management experience, and public input. Fundamentally these are meant to reduce the risk of brucellosis transmission from elk to cattle in a manner that maintains elk on the landscape. Given the risk of transmission in areas where elk have tested positive for exposure to brucellosis (seropositive) is associated with proximity of elk to cattle, these actions are designed to adjust local elk distribution away from cattle at small geographic scales.

If adopted, this annual plan would be available for potential implementation within the Designated Surveillance Area (DSA) as defined by the Montana Department of Livestock (DoL) and in immediately adjacent areas if there is confirmed elk movement from inside to outside the DSA representing increased transmission risk to cattle. While the formal risk period inside the DSA has been identified by DoL as January 15 – June 15, these actions may be applied with cause outside that window. While the DoL has authority to define the boundaries and conditions of the DSA for livestock, this work plan does not maintain or create any wildlife management authority for DoL. The wildlife management authority within this plan is wholly represented by FWP and the FW Commission. The term for this plan is fall 2014 to fall 2015 when the next annual work plan is scheduled to be finalized.

Given ongoing efforts to identify and further incorporate local working groups that may develop and submit area-specific work plans for public review and FW Commission (“commission”) adoption, this work plan is proposed as a “default” or general work plan for implementation in 2015 until/unless other specific work plans from local work groups replace or are added to it. Any additional or replacement work plans from local work groups may be proposed for public review and commission adoption at the time they are assembled.

Non-lethal management actions may be applied in any sequence or combination with appropriate approval from FWP and/or the commission. DoL has no authority to prescribe wildlife management actions. Lethal removal will be considered only after nonlethal means have been deemed insufficient. While some actions (dispersal hunts, haystack fencing, hazing, etc.) would be available for implementation without additional public review, other potential management

actions would require additional public review prior to implementation (biennial season setting, public land habitat manipulations, fencing projects larger than stackyards, etc.).

ANNUAL REVIEW OF EFFECTIVENESS

FWP shall make efforts to evaluate effectiveness of management actions relative to elk needs and transmission risk. Out of necessity, this may be incidental to other duties and may include general observations and anecdotal information. The commission will publicly review annual efforts at its August meeting. Large scale elk population monitoring and seroprevalence monitoring by FWP will be part of longer term evaluations.

CONDITIONED FWP ASSISTANCE

Recognizing that effective risk management should be as comprehensive as possible, that some risk management actions can be handicapped or even undone if risk management is not comprehensive, and that concentrations of elk resulting from limited public access can contribute to increased brucellosis transmission risk between elk and between elk and cattle, FWP will work with landowners to identify and minimize risky elk concentrations caused by limited or no public hunting access. While public hunting access is not initially required for a landowner to receive FWP brucellosis risk management assistance, effectively identifying and minimizing risky concentrations of elk is considered a necessary component of comprehensive risk management over time. FWP and the landowner may approach this collaboration incrementally. Efforts to this end will be part of the annual public review by the commission.

Participation by FWP is contingent upon adequate funding for individual mitigation efforts. In the event demand exceeds fiscal or staff capacity, FWP will prioritize efforts to reflect the most urgent risk management needs and the broadest implementation approach across the DSA.

LOCAL WORK GROUPS

FWP staff will continue efforts to coordinate with local working groups to potentially assemble more area-specific annual work plans. At a minimum, FWP should attend and provide technical input if necessary and any interested member of the public should also be allowed to attend. Examples of potential discussion topics include the identification and description of significant commingling events that may be anticipated, an assessment of what management action(s) may be most effective and why, and what additional concerns might exist. In addition to enhanced public understanding of program scope and scale, this effort may improve management response time. Local work groups likely represent one of the best opportunities to address risky concentrations of elk associated with limited or no public hunting access. When completed, any proposed local work plan will be presented to the commission for public review and comment. At that time, it shall be made clear what perspectives were present in the local discussion and to what degree any proposal does or does not represent consensus.

EDUCATION AND OUTREACH

FWP will continue to explore and implement effective communication, education and outreach with the FW Commission, general public and landowners.

GENERAL HUNTING SEASONS

The statewide work group recognized there may be some opportunities to manage risk of brucellosis transmission with adjustments to Montana's general hunting seasons. Objectives could include adjusted elk numbers consistent with elk objectives (population control) as well as short and long term distribution adjustments and minimizing resident elk where they may conflict with wintering populations. In the event these proposals are identified, they would be incorporated into the established public season setting process and public review with the FW Commission.

STEP-WISE IMPLEMENTATION

Recognizing the public advocacy and value in identify those minimum risk management efforts that are least impactful to elk and also are effective at mitigating risk, FWP will consider non-lethal options before implementing lethal tools in addition to the general hunting season.

AGENCY COLLABORATION

Work with DoL and USDA APHIS to assess and potentially coordinate the need, opportunity and capacity for continued targeted elk surveillance captures beyond 2015. This collaboration shall not dilute the wildlife management authority of FWP and the FW Commission and it shall not expand management authority of DoL or APHIS beyond livestock.

NON-LETHAL ACTIONS APPLIED IN ANY SEQUENCE OR COMBINATION

Elk Hazing to Reduce Commingling with Cattle

- This plan alone does not limit the number of private land hazing efforts that may take place.
- Prior to implementation, hazing efforts shall recognize and provide areas of functional and sufficient winter habitat with adequate forage and security available for elk.
- These efforts shall consider and avoid to the degree possible the potential for elk to be inadvertently encouraged into more risky circumstances.
- Available for potential implementation on private lands and Montana Department of Natural Resource Conservation (DNRC) within the DSA as defined by DoL and in immediately adjacent areas if there is confirmed elk movement from inside to outside the

DSA representing increased transmission risk to cattle. This may not include Montana state lands managed as Wildlife Management Areas.

- While the formal risk period associated with the DSA has been identified by DoL as January 15 – June 15, these actions may be applied with cause outside that window in an effort to reduce risk during the risk period.
- Both the FWP Regional Supervisor and local area FW Commissioner may modify and both must approve hazing efforts.

Stackyard Fencing

- This plan alone does not limit the number of stackyard fencing efforts that may take place.
- FWP may contribute materials with the landowner being responsible for installation and routine maintenance. Additional cost sharing is encouraged.
- These efforts shall consider and avoid to the degree possible the potential for elk to be inadvertently encouraged into more risky circumstances.
- Available for potential implementation within the DSA as defined by DoL and in immediately adjacent areas if there is confirmed elk movement from inside to outside the DSA representing increased transmission risk to cattle.
- While the formal risk period associated with the DSA has been identified by DoL as January 15 – June 15, these actions may be applied with cause outside that window in an effort to reduce risk during the risk period.
- Both the FWP Regional Supervisor and local area FW Commissioner may modify and both must approve stackyard fencing.

Expanded Fencing in the Paradise Valley

- Except for small scale fencing of attractants including stackyards, any proposed fencing project with FWP support shall require a written plan submitted to the Fish and Wildlife Commission for review and potential approval. The written plan shall clearly enumerate:
 - fence description;
 - size of fenced area;
 - location;
 - season of use;
 - timing and size of any elk concentrations and their relationship to risk and mitigation;

- a description of sufficient seasonal habitats and their availability for elk and other wildlife species while the fence is operational; and
 - cost and cost share opportunities.
- FWP may contribute materials with the landowner being responsible for installation and routine maintenance and seasonal put up and take down. Additional cost sharing is encouraged.
- These efforts shall consider and avoid to the degree possible the potential for elk to be inadvertently encouraged into more risky circumstances.
- Any such fencing project may be proposed only if FWP has identified sufficient dollars for cost share participation at the time of proposal.
- Any such fencing project may include only the minimum acreage and minimum structure necessary to keep elk out of consistent commingling situations with cattle.
- Any such fencing project may be proposed only on private lands in those specific areas with a history of applied livestock risk management plans, other elk management risk mitigation efforts (such as hazing), and repeat livestock infections.
- Any such fencing project may be only with those landowners that have developed and followed a livestock risk management plan for brucellosis. This may include risk management plans developed by the landowner with DoL.
- Any such fencing project may be only with those landowners that have worked with FWP to implement other elk management risk mitigation efforts (such as hazing).
- Any such fencing project may be only in those areas of the DSA with a history of repeat livestock infections.
- Fencing projects may include multiple landowners.
- Any such fencing project must minimize the potential to capture elk and other wildlife. Without prior FWP approval, no managed species of wildlife may be lethally removed from within an elk proof fence.

- Except for permanent stackyard fencing where FWP and the Landowner agree the fence should remain in place, any such elk proof fence may be in place not more than two weeks before and after the risk period of Jan 15 – June 15.
- Consistent with the concept of a “pilot project”, not more than two of these fencing projects may be implemented without at least one full year of evaluation after the fences have been put in place. Any evaluation shall assess effective wildlife passage around these fenced areas. In the event adequate wildlife passage is not maintained or there are consistent wildlife captures, the landowner and FWP must pursue appropriate modifications.
- These projects shall include a public review and comment period and site specific environmental assessment (“EA”) as provided for in the Montana Environmental Policy Act (“MEPA”).
- The written plan and MEPA document must be presented to the FW Commission for their public review and potential adoption prior to implementation.

Habitat Adjustments

- This plan alone does not limit the number of habitat adjustments that may take place in order to adjust elk distribution.
- Given wide support of this concept vs. other potential management actions, FWP will prioritize efforts for at least one habitat adjustment in 2015.
- Habitat adjustments could be used on public or private lands to lure elk into areas away from cattle or to remove habitat attraction near cattle.
- On private and public lands FWP may contribute materials with the landowner being responsible for installation and routine maintenance. Additional cost sharing is encouraged. These efforts shall consider and avoid to the degree possible the potential for elk to be inadvertently encouraged into more risky circumstances.
- Available for potential implementation within the DSA as defined by DoL. and in immediately adjacent areas if there is confirmed elk movement from inside to outside the DSA representing increased transmission risk to cattle.
- While the formal risk period has been identified by DoL as January 15 – June 15, these actions may be applied with cause outside that window.

- Habitat manipulations on state lands would require additional MEPA review and commission approval.

LETHAL ACTIONS APPLIED AFTER NONLETHAL ACTIONS HAVE BEEN DEEMED INSUFFICIENT (not including general hunting seasons)

Small Scale Lethal Elk Management Removals (EMR) Using Hunters

- Non-lethal actions must be deemed insufficient prior to implementing EMRs.
- The total elk lethally removed by EMRs and kill permits (see below) shall not exceed 250 elk and not more than 25 elk may be taken by EMRs and kill permits in individual hunting districts identified as being below management objective in the most recent FWP survey efforts. Recent elk surveys reveal not less than 24,000 elk directly observed within the DSA.
- EMRs may be applied on private lands and (DNRC) lands but may not include Montana state lands managed as Wildlife Management Areas.
- Each EMR may not harvest more than 10 elk and would be individually described (dates, area, number of hunters, etc.) by FWP regional staff working directly with the landowner(s) involved.
- Multiple EMRs (each up to 10 harvested elk) could be applied in the same area/same time but each would require specific approval.
- Both the FWP Regional Supervisor and local area FW Commissioner may modify and both must approve EMR proposals, including the sex/age of animals harvested for the purpose of dispersal.
- EMRs will be used to adjust elk distribution and not for population control.
- Hunters will be selected using mechanisms comparable to those used for game damage hunts.
- Antlered and/or antlerless elk may be made available for take depending upon circumstances that include herd composition, population status and risk to other elk and cattle from reproductive tissues in gut piles.
- EMRs will be accomplished as early as possible in the risk season and no EMRs will be initiated after April 15 and all EMRs will conclude not later than April 30.
- EMR area identification will be based in part on commingling risk of re-distributed elk on other properties.

- EMR descriptions shall recognize and provide areas of functional and sufficient winter habitat with adequate forage and security available for elk.
- Gut piles will be managed to minimize the potential for disease transmission to cattle and elk.
- Hunters contacted for EMRs will be provided with written information addressing human infection risk and how to mitigate that risk.
- Available for potential implementation within the DSA as defined by DoL and in immediately adjacent areas if there is confirmed elk movement from inside to outside the DSA representing increased transmission risk to cattle.
- While the formal risk period has been identified by DoL as January 15 – June 15, these actions may be applied with cause outside that window after August 15. This action type may be applied with the approval of the regional supervisor and area commission and does not require additional public review.

Kill Permits Issued to Landowners or Their Agents

- Non-lethal actions must be deemed insufficient prior to implementing kill permits.
- The total elk lethally removed by kill permits and EMRs (see above) shall not exceed 250 elk and not more than 25 elk may be taken by kill permits and EMRs in individual hunting districts identified as being below management objective in the most recent FWP survey efforts. Recent elk surveys reveal not less than 24,000 elk directly observed within the DSA.
- Individual kill permit authorizations will not exceed five total elk.
- Kill permits may be utilized in circumstances where lethal removal is prescribed but with cause the use of hunters is precluded.
- Throughout the DSA and with cause in areas immediately adjacent, kill permits will be available thru April 30.
- Kill permits may be applied on private lands and DNRC lands but may not include Montana state lands managed as Wildlife Management Areas.
- Both the FWP Regional Supervisor and local area FW Commissioner may modify and both must approve kill permit proposals, including the sex/age of animals harvested for the purpose of dispersal.
- Kill permits will be used to adjust elk distribution and not for population control.

- Antlered and/or antlerless elk may be made available for take depending upon circumstances that include herd composition, population status and risk to other elk and cattle from reproductive tissues in gut piles.
- Kill permit area identification will be based in part on commingling risk of re-distributed elk on other properties.
- Kill permit descriptions shall recognize and provide areas of functional and sufficient winter habitat with adequate forage and security available for elk.
- Gut piles will be managed to minimize the potential for disease transmission to cattle and elk.
- Available for potential implementation within the DSA as defined by DoL and in immediately adjacent areas if there is confirmed elk movement from inside to outside the DSA representing increased transmission risk to cattle.
- While the formal risk period has been identified by DoL as January 15 – June 15, these actions may be applied with cause outside that window after August 15. This might include using kill permits to influence elk distribution outside the risk period but still relevant to risk.
- This action type may be applied with the approval of the regional supervisor and area commission and does not require additional public review.

Expanded Kill Permits Issued to Landowners or their Agents in the Paradise Valley May 1 – May 15

- Non-lethal actions must be deemed insufficient prior to implementing kill permits.
- The total elk lethally removed by kill permits and EMRs (see above) shall not exceed 250 elk and not more than 25 elk may be taken by kill permits and EMRs in individual hunting districts identified as being below management objective in the most recent FWP survey efforts. Recent elk surveys reveal not less than 24,000 elk directly observed within the DSA.
- Individual kill permit authorizations will not exceed three total elk.
- Only one kill permit per landowner May 1 – May 15.
- Kill permits may be applied on private lands only.

- Both the FWP Regional Supervisor and local area FW Commissioner may modify and both must approve kill permit proposals, including the sex/age of animals harvested for the purpose of dispersal.
- Kill permits will be used to adjust elk distribution and not for population control.
- To further reduce risk and public concern with the late stage of pregnancy, emphasis shall be given to lethal removal of yearling and bull elk.
- Kill permit area identification will be based in part on commingling risk of re-distributed elk on other properties.
- Kill permit descriptions shall recognize and provide areas of functional and sufficient winter habitat with adequate forage and security available for elk.
- Gut piles will be managed to minimize the potential for disease transmission to cattle and elk.
- Available for potential implementation on private land only within the Paradise Valley portion of the DSA as defined bide.
- This action type may be applied with the approval of the regional supervisor and area commission and does not require additional public review.